

REMARKS

Claims 1, 4, 5, and 7 are now pending in this application for which applicants seek reconsideration.

Amendment & Interview

Applicants thank the examiner granting a telephonic on 28 October 2008. In light of the interview, where the examiner explained that the blocked space is not necessarily a sealed space, independent claims 1 and 5 have been amended to define that the sound-insulating wall and the wall of the suction muffler body form a blocked sealed space to reduce sound transmission, in commensurate with the arguments raised previously. No new matter has been introduced. The examiner tentatively agreed during the interview that Lee and Johnson would not have taught a blocked sealed space.

§ 112 Rejection

Claims 1 and 4 now stand rejected under 35 U.S.C. § 112, second paragraph, because the examiner still believes that the previously amended limitation of the wall of the suction muffler body "reinforcing the wall of the suction muffler body" introduces new matter. In this respect, per the examiner's suggestion given during the interview, claim 1 has been amended to clarify that the integrally formed fixed sounding wall reinforces a frame of the suction muffler body. Applicants submit that the present amendment overcomes this rejection.

Art Rejection

Claims 1 and 5 now stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lee (USP 6,446,454) in view of Johnson (USP 6,390,132). Claims 4 and 7 now stand rejected under § 103(a) as unpatentable over Lee in view of Johnson and Ono (USP 6,155,067). Lastly, claim 6 now stands rejected under § 103(a) as unpatentable over Lee in view of Johnson and Myung (USPGP 2002/0090305). The examiner essentially maintained the same rejections.

Applicants submit that the present amendment overcomes all art rejections because none of the applied references disclose or teach a blocked sealed space to reduce sound transmission.

As understood by the examiner, Lee does have disclose or teach the integrally formed fixed sound-insulating wall. In this respect, the examiner relied upon Johnson for the proposition that fixing Lee's wall 42 would have been obvious. But as explained during the interview, Johnson also discloses a movable wall 66 similar to Lee's wall 42. Both Lee and Johnson explicitly call for a movable wall for insulating purposes. Accordingly, Johnson would

not have led one of ordinary skill in the art to fix Lee's wall 42 because that would defeat the damping function that Lee and Johnson explicitly call for. In other words, the combination urged by the examiner would have destroyed Lee's invention. The examiner agreed that Lee and Johnson would not have taught fixing Lee's movable wall in the Interview Summary.

Moreover, since the examiner indicated that Lee and Johnson do not disclose a sealed block space (see the Interview Summary), applicants submit that the present claims distinguish over the applied references. Note that Myung also does not disclose a blocked seal space.

Conclusion

Applicants submit that the pending claims patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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DATE

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